

Fighting Corruption in Asia-Pacific: Strategies for Business, Government and Civil Society

6th Regional Anti-Corruption Conference for Asia and the Pacific
Singapore, 26-28 November 2008

Draft Program

as of 20 November 2008

ADB/OECD Anti-Corruption Initiative for Asia-Pacific
Government of Singapore

■ Reducing corruption in Asia and the Pacific is a shared responsibility

Throughout the Asia and Pacific region, there is a growing recognition of the adverse impact of corruption on equitable and sustainable economic growth. Governments have responded by passing anticorruption legislation, strengthening codes of conduct for civil servants, establishing anticorruption commissions, and anticorruption courts. Governments look to international standards including the OECD Anti-Bribery Convention (1997) and the United Nations Convention against Corruption (2003) to provide a framework for reducing corruption in a comprehensive fashion.

However, reducing corruption is not the responsibility of government alone. Corruption occurs where the private and public sectors intersect. There is both a demand side (bribe solicitation) and supply side (bribe giving) to corruption, and the supply side often takes the form of bribes paid by the private sector. Up to now, strategies for fighting corruption in the region have emphasized the demand side. This conference provides an opportunity to address the supply-side, from the perspectives of the public sector, the private sector, and civil society.

Through a combination of plenary sessions and workshops, the Conference will explore options for countering corruption including the supply-side. Experts from the region, from OECD Countries, from public and the private sector, and from civil society, will meet to assess their shared responsibility to fight bribery and corruption. Based on workshop discussions, the final plenary will propose action to advance the fight against bribe giving in Asia-Pacific.

■ A forum for government, private sector, and civil society experts

This conference gathers experts from the 28 members of the ADB/OECD Anti-Corruption Initiative for Asia-Pacific and observer countries from the region, OECD member countries, leading enterprises and businesses associations from Asia-Pacific, civil society, and multi-lateral and donor organizations. Participation is by invitation only; individuals interested in attending the conference may request an invitation from the Secretariat of the ADB/OECD Anti-Corruption Initiative for Asia-Pacific.

■ Contact

Organizer:
ADB/OECD Anti-Corruption Initiative for
Asia and the Pacific—Secretariat

Marilyn Pizarro
Tel. +632 632 5917
mpizarro@adb.org

Joachim Pohl
Tel. +33 1 4524 9582
joachim.pohl@oecd.org

Host:
Corrupt Practices Investigation Bureau (CPIB)
Singapore

Meng Geh Phua
Tel. +65 6490 0487
phua_meng_geh@cpib.gov.sg

■ Venue

Suntec City International Convention & Exhibition Centre
Ballroom 2/3, Level 2
1 Raffles Boulevard, Suntec City
Singapore

■ Draft conference schedule

Wednesday, 26 November 2008

8:00 – 8:45 *Registration of participants*

9:00 – 9:45 **Opening Remarks by Guest of Honor**

Associate Professor Ho Peng Kee, Senior Minister of State for Law & Home Affairs, Singapore

Opening Remarks by ADB and OECD

Lawrence Greenwood, Vice President (Operations 2), Asian Development Bank (ADB)
Mario Amano, Deputy Secretary-General, Organisation for Economic Co-operation and Development (OECD)

9:45 – 10:15 *Refreshments*

10:15 – 12:30 **Opening Plenary:**

Combating corruption in business transactions

Corruption has an adverse impact on the business and investment climate in the Asia-Pacific region, increases the costs of doing business and correspondingly, the cost of public service delivery. The challenge is to reduce corruption in business transactions by reducing the incentives and increasing the risks associated with corrupt activity.

The plenary session will set the stage for the workshops that follow, by discussing the perceived corruption risk in the region and the impact of corruption on the business and investment climate in Asia-Pacific. It will look at current strategies for reducing corruption, and the importance of fighting the supply-side of corruption. It will also look at the need for business, government, and civil society to share responsibility for finding solutions.

Chair: Patrick Moulette, Head, Anti-Corruption Division, OECD

Speakers: John Bray, Director (Analysis), ControlRisks
Soh Kee Hean, Director, Corrupt Practices Investigation Bureau (CPIB), Singapore
Wang Huangeng, Deputy Director-General of the Reporting Center, Ministry of Supervision, People's Republic of China
Kuniko Ozaki, Director, Division for Treaty Affairs, United Nations Office on Drugs and Crime
David Lyman, Chairman & Chief Values Officer, Tilleke&Gibbins International Ltd., Bangkok
Peter Rooke, Senior Adviser, International Group, Transparency International

12:30 – 14:00 *lunch*

14:00 – 17:00 Workshop session (15:15–15:45 refreshments)

<h1>1</h1>	<h1>2</h1>
<p>▲ Workshop 1</p> <p>Combating bribery: the role of international criminal law standards</p>	<p>▼ Workshop 2</p> <p>Conflict of interest – the soft side of corruption</p>
<p>Corruption undermines competition and increases the costs of doing business. An effective legal and regulatory framework informed by international legal instruments and based on international standards, which recognizes corruption and bribery as criminal acts, is necessary to support government efforts to reduce corruption.</p> <p>This workshop will: discuss the issue of bribery within the Asia and Pacific context; discuss international legal standards and their enforcement (in particular UNCAC); present the challenges facing governments as they attempt to implement anti-corruption and anti-bribery offences; and explore options for involving civil society in the legislative process. In addition, it will explore how experience implementing the OECD Anti-Bribery Convention could assist Asia-Pacific countries implement international criminalization standards.</p> <p>Chair: Hamid Sharif, Principal Director, Central Operations Services Office, ADB</p> <p>Rapporteur: Andrew Boname, Regional Anti-Corruption Advisor, ABA Rule of Law Initiative</p> <p>Speakers: William Loo, Anti-Corruption Division, OECD Kuniko Ozaki, Director, Division for Treaty Affairs, UNODC Mathew Joseph, Deputy Principal Senior State Counsel, Attorney-General's Chambers, Singapore Jaswant Singh, Deputy Senior State Counsel, Attorney-General's Chambers, Singapore Anthony Kevin Morais, Deputy Public Prosecutor of Attorney General Chambers attached to ACA, Malaysia (tbc)</p>	<p>The intersection between the public and private sector can create opportunities for bribery, but corruption does not always manifest as a financial crime. Conflict of interest occurs when private interest compromises public interest.</p> <p>The workshop will define conflict of interest, discuss various regulatory approaches for managing conflict of interest, and discuss how conflict of interest manifests at the sector level.</p> <p>Chair: Koh Teck Hin, Deputy Director (Operations), CPIB, Singapore</p> <p>Rapporteur: Janet Maki, Ombudsman, Cook Islands</p> <p>Speakers: Janos Bertok, Principal Administrator, Directorate for Governance and Territorial Development, OECD Arief T. Surowidjojo, Lawyer, Indonesia Navita Srikant, Partner, Ernst & Young, India William Paterson, World Bank</p>

19:00

Welcome dinner hosted by the Government of Singapore.
Pearl River Palace Restaurant, SUNTEC Convention & Exhibition Centre

Thursday, 27 November 2008

8:45–9:15 Refreshments

9:15–12:30 **Workshop session** (10:30–11:00 refreshments)

<h3>3</h3> <p>▲ Workshop 3</p> <p>Ethical business practices: Corporate compliance programs and integrity systems</p>	<h3>4</h3> <p>▼ Workshop 4</p> <p>Working together to combat corruption: international and regional initiatives</p>
<p>In the wake of numerous corporate scandals and an ever-changing regulatory environment, business leaders are becoming more and more aware of legal and reputational risks associated with corruption.</p> <p>The workshop will discuss components of effective corporate compliance programs and tools to assist businesses, large and small, in designing and implementing appropriate integrity systems. It will also examine the application of these systems in practice, including in relation to public procurement contracting.</p> <p>Chair: Li Bo-lan Rebecca, Hong Kong, China</p> <p>Rapporteur: John Bray, ControlRisks</p> <p>Speakers: Neil Thamotheram, PriceWaterhouseCoopers Thailand Juthika Ramanathan, Chief Executive, Accounting and Corporate Regulatory Authority, Singapore Eddie How, Regional Head of Business Integrity (APME), Shell Eastern Petroleum Pte Ltd, Singapore</p>	<p>Individual companies may not always be in the best position to withstand pressure to offer bribes. Regional and international initiatives provide a forum for private sector, public sector, and civil society actors to come together with a common goal of reducing vulnerability to corruption.</p> <p>The workshop will present lessons learned and assess how international and regional initiatives contribute to raise awareness and commitment to fight corruption in the region.</p> <p>Chair: Peter Ryan, Director for Intellectual Exchange, Asia-Europe Foundation</p> <p>Rapporteur: tbd</p> <p>Speakers: Kathleen Moktan, ADB Peter Rooke, Transparency International Manuel de Lemos, Director, Secretariat of State for Natural Resources, Timor-Leste Ong Hian Sun, Director, Commercial Affairs Department, Singapore & Co-Chair, Asia Pacific Group on Money Laundering</p>

12:30–14:00 lunch

14:00–17:00 **Workshop session (15:15–15:45 refreshments)**

	
<p>Workshop 5</p> <p>Private sector corruption: last piece of the puzzle</p> <p>The general inclination is to think of corruption occurring involving private and state owned actors, in the case of influence peddling, offering and receiving bribes etc. However, corruption also occurs within the private sector. This corruption can be more difficult to address as it falls outside the remit of typical public sector integrity mechanisms.</p> <p>The workshop will examine how corruption manifests in private-to-private transactions, tools, and options available to address this form of corruption and the linkages with the rule of law.</p> <p>Chair: Joel Turkewitz, Lead Governance Specialist, World Bank</p> <p>Rapporteur: tbd</p> <p>Speakers: Jermyn Brooks, Director, Private Sector Programmes, Transparency International Ho Wah Lee, Director, Fraud Services, KPMG, Singapore Li Bo-lan Rebecca, Assistant Director, Operations Department, ICAC Hong Kong, China Koh Teck Hin, Deputy Director (Operations), CPIB, Singapore Melinda Quintos De Jesus, Executive Director of the Center for Media Freedom and Responsibility</p>	<p>Workshop 6</p> <p>Fighting corruption and the sustainable development agenda</p> <p>The development community recognizes the profound harm that corruption inflicts on development, and particularly on the poor. A number of bilateral and multilateral donors with programs in Asia and the Pacific coordinate their efforts through the OECD Development Assistance Committee (DAC) Governance Network.</p> <p>This workshop will focus on key corruption issues that impact on sustainable development in Asia-Pacific (e.g. in mineral extraction, oil and gas industries, and forestry), and follow-up discussions at the 13th IACC in Athens. It will look at the issue of facilitation payments and how they weaken development. It will also discuss how donors incorporate anti-corruption into the broader support for governance, and how they can support efforts aimed at drying out the sources of bribes prevalent in the business sector.</p> <p>Chair: Joe Hedger, Director, Governance and Anti-Corruption Section, AusAID</p> <p>Rapporteur: Pauline Tamesis, UNDP</p> <p>Speakers: Marcel van den Bogaard, DAC GOVNET ACTT Merceditas Gutierrez, Ombudsman, Philippines So-yeong Yoon, Deputy Director, Anti-Corruption, International Cooperation Division, Anti-Corruption and Civil Rights Commission (ACRC), Korea Clare Wee, Director, Integrity Division, ADB</p>

Evening: *Asia-Pacific Premiere of "Ethicana" (see descriptive note on p. 7)*

Friday, 28 November 2008

08:45–09:15 Refreshments

9:15–10:45 Closing plenary

Part I: Report and conclusions from workshops

Rapporteurs from each of the six workshops will present issues identified during the workshop, the impact of these issues on anticorruption efforts and specific actions.

Chair: Kathleen Moktan, ADB

Speakers: Rapporteurs of workshops 1 to 6

10:45–11:15 Refreshments

11:15–12:15 Closing plenary

Part II: The way forward

- Presentation and discussion of the draft conference conclusions;
- Adoption of conference conclusions and recommendations.

Panel: Soh Kee Hean, Director, CPIB, Singapore

Kathleen Moktan, ADB

Joachim Pohl, Project Co-ordinator, Anti-Corruption Initiative for Asia-Pacific, OECD

12:15–12:45 Closing remarks

Kathleen Moktan, ADB

Patrick Moulette, OECD

Peter Ho, Head Civil Service, Singapore

■ To whom it may concern:

Tuesday 17:30–18:30 Preparatory meeting for chairpersons, speakers, and panelists

Venue: Ocean 5 Level 2, Pan Pacific Hotel

Thursday 17:00–18:00 Gathering of workshop chairs and rapporteurs

Venue: Ocean 5 Level 2, Pan Pacific Hotel

■ About *Ethicana*:

Ethicana is one element of the Anti-Corruption Education and Training (ACET) project. ACET recognizes that: corruption in the global construction industry is a huge economic burden estimated to approach USD500 billion annually; it occurs in every country no matter the form of government; and the level of development or geographic location. *Ethicana* is a training program, comprised of a DVD and associated training materials. The training materials are currently being developed, and, once available, will be distributed to any interested party free of charge. The development of *Ethicana* has been supported by a number of private sector and institutional sponsors (including the ADB). The DVD was first premiered in Pittsburg, Pennsylvania, USA on 6 November 2008 and the 6th Regional Anticorruption Conference is proud to host the Asian Premiere of the movie.